

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

LA.App..No. 17 of 2004(D)

LAR.232/2000 of ADDL.SUB COURT, NORTH PARAVUR

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APPELLANT: 1ST RESPONDENT

STATE OF KERALA, REPRESENTED BY THE
DISTRICT COLLECTOR, ERNAKULAM.

GOVERNMENT PLEADER SRI.BASANT BALAJI.

RESPONDENTS: CLAIMANT AND ADDL.2ND RESPONDENT

1. SAJAN S/O. ANTHONY, PARAVOOKARAN,
PADAYATTY, NAYATHODE.

2. KOCHI INTERNATIONAL AIRPORT SOCIETY,
REPRESENTED BY ITS MANAGING DIRECTOR.

BY ADV. SRI.N.N.SUGUNAPALAN, SC, KIAS LTD.
SMT.ROSE MICHAEL

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION
ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No. 17 of 2004

Dated this the 6th day of September, 2007

JUDGMENT

Kurian Joseph,J.

This appeal is directed against the judgment and decree in L.A.R.No.232/2000 on the file of the Sub Court, North Paravur. The acquisition is for the purpose of rehabilitation of evictees in connection with the formation of Kochi International Air Port. The date of Section 4(1) notification is 16-2-1998. The reference court has granted enhancement at the rate of 96% of the value fixed by the Land Acquisition Officer. It is brought to our notice that this court has interfered with such enhancement and has remitted similar matters to the reference court for fresh consideration with liberty to the parties to adduce fresh evidence, if required. One such judgment is in L.A.A.No.1532/2005. For parity of reasons we set aside the judgment and decree in this case and remit the matter to the reference court for fresh consideration with liberty to the parties to adduce fresh evidence. The parties will appear before the court below on 15-10-2007.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.